



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,941	12/13/2001	James Errico	KLR 7146.121	3865

7590 12/03/2004
Kevin L. Russell
Suite 1600
601 SW Second Ave.
Portland, OR 97204-3157

EXAMINER

PILLAI, NAMITHA

ART UNIT PAPER NUMBER

2173

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/016,941	Applicant(s) ERRICO ET AL.	
	Examiner Namitha Pillai	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-86 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it does not properly define the invention of the application. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 81-85 must be renumbered to 82-86.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 29-86 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by “Adjustable Filmstrips and Skims as Abstractions for a Digital Video Library” (Christel et al.), herein referred to as Christel.

Referring to claim 29, Christel discloses a method of presenting information regarding a video with a plurality of frames (page 2, column 2, lines 11-19). Christel discloses identifying a plurality of different segments of the video, where each of the segments includes a plurality of

Art Unit: 2173

frames of the video (page 4, column 2, lines 8-32). Christel discloses displaying a graphical user interface including temporal information regarding the relative location of the plurality of segments within the video (Figure 5).

Referring to claim 30, Christel discloses a generally rectangular region where each of the plurality of segments is indicated within the generally rectangular region (Figure 5).

Referring to claim 31, Christel discloses that the size of each of the plurality of segments is indicated in a manner such that the plurality of segments with a greater number of frames are larger than the plurality of segments with a lesser number of frames (Figure 5).

Referring to claim 32, Christel discloses that the size of the regions between each of the plurality of segments is indicated in a manner such that the regions between with a greater number of frames are larger than plurality of segments with a lesser number of frames (Figure 5).

Referring to claim 33, Christel discloses an indicator that indicates the current position within the temporal information of a currently displayed portion of the video (Figure 5).

Referring to claim 34, Christel discloses the indicator changes location relative to the temporal information as the portion of the currently displayed portion of the video changes (Figure 5).

Referring to claim 35, Christel discloses displaying the temporal information for a first type of content of the video using a first visual indication (Figure 5) and displaying the temporal information for second type of content of the video using a second visual indication different from the first visual indication (Figure 6).

Referring to claim 36, Christel discloses indicating with an indicator the current position within the temporal information of a currently displayed portion of said video and modifying the

Art Unit: 2173

position of the indicator within the temporal information, which modifies the displayed portion of the video (Figures 5 and 6).

Referring to claim 37, Christel discloses that the indicator is modified to a portion of the video that is not included within the plurality of segments (Figures 5 and 6).

Referring to claim 38, Christel discloses the first type of content and second type of content are selectable by a user for presentation to the user (Figure 5, page 5, column 1, lines 9-12 and Figure 6).

Referring to claims 39 and 60, Christel discloses that at least two of the plurality of segments are temporally overlapping (page 4, column 2, lines 26-29).

Referring to claims 40 and 61, Christel discloses that the temporally overlapping segments are visually indicated in a manner such that each of the overlapping segments are independently identifiable (page 4, column 2, lines 26-31).

Referring to claim 41, Christel discloses that a user selects a portion of the video not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments (Figure 6).

Referring to claim 42, Christel discloses that one of the plurality of segments is the segment most temporally adjacent to the portion of the video (Figure 6).

Referring to claim 43, Christel discloses that one of the plurality of segments is the next temporally related segment (Figure 6).

Referring to claim 44, Christel discloses that the plurality of segments is the previous temporally related segment (Figure 6).

Referring to claim 45, Christel discloses that a user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video from the start thereof (page 5, column 1, lines 5-11).

Referring to claim 46, Christel discloses that a user selects a portion of the video not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments, and wherein the user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video within the plurality of segments (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 47, Christel discloses that a user selects a portion of the video not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments, and wherein the user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video within the plurality of segments starting from the beginning thereof (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 48, Christel discloses that a user selects a portion of video not included within the plurality of segments, wherein in response thereto, the system presents the selected portion not included within the plurality of segments, and wherein after presenting the selected portion not included within the plurality of segments presents the selected plurality of segments in temporal order without portions of the video not included within the plurality of segments, and wherein the user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video within the plurality of segments (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 49, Christel discloses that the temporal information is hierarchical and is displayed in such a manner to retain a portion of its hierarchical structure (Figure 6).

Referring to claim 50, Christel discloses that temporal information relates to overlapping time periods and the temporal information is displayed in such a manner to maintain the differentiation of the overlapping time periods (Figure 5 and page 4, column 2, lines 26-31).

Referring to claims 51 and 72, Christel discloses that the temporal information is displayed within a time line, wherein the temporal information is presented in a plurality of layers in a direction perpendicular to the length of the time line (Figure 5).

Referring to claims 52 and 73, Christel discloses that the temporal information is displayed within a time line, wherein textual information is included within the time line (Figure 6).

Referring to claims 53 and 74, Christel discloses that additional textual information is displayed upon selecting a portion of the time line (Figure 6).

Referring to claims 54 and 75, Christel discloses that temporal information is displayed together with a time line, wherein additional textual information is displayed together with selecting a portion of the time line (Figure 6).

Referring to claims 55 and 76, Christel discloses that temporal information is displayed within a time line, wherein additional audio annotation is presented upon presenting a portion of the time line (page 4, column 1, lines 33-37 and Figure 6).

Referring to claim 56, Christel discloses a method of presenting information regarding audio (page 2, column 2, lines 11-19). Christel discloses identifying a plurality of different segments of the audio, where each of the segments includes a temporal duration of the audio

((page 4, column 2, lines 8-32). Christel discloses displaying a graphical user interface including temporal information regarding the relative location of the plurality of segments within the audio (Figure 5).

Referring to claim 57, Christel discloses displaying the temporal information for a first type of content of the audio using a first visual indication (Figure 5) and displaying the temporal information for second type of content of the audio using a second visual indication different from the first visual indication (Figure 6).

Referring to claim 58, Christel discloses indicating with an indicator the current position within the temporal information of a currently displayed portion of said audio and modifying the position of the indicator within the temporal information, which modifies the displayed portion of the audio (Figures 5 and 6).

Referring to claim 59, Christel discloses that the indicator is modified to a portion of the audio that is not included within the plurality of segments (Figures 5 and 6).

Referring to claim 62, Christel discloses that a user selects a portion of the audio not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments (Figure 6).

Referring to claim 63, Christel discloses that one of the plurality of segments is the segment most temporally adjacent to the portion of the audio (Figure 6).

Referring to claim 64, Christel discloses that one of the plurality of segments is the next temporally related segment (Figure 6).

Referring to claim 65, Christel discloses that the plurality of segments is the previous temporally related segment (Figure 6).

Referring to claim 66, Christel discloses that a user selects a portion of the audio included within the plurality of segments, wherein in response thereto, the system presents the portion of the audio from the start thereof (page 5, column 1, lines 5-11).

Referring to claim 67, Christel discloses that a user selects a portion of the audio not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments, and wherein the user selects a portion of the audio included within the plurality of segments, wherein in response thereto, the system presents the portion of the audio within the plurality of segments (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 68, Christel discloses that a user selects a portion of the audio not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments, and wherein the user selects a portion of the audio included within the plurality of segments, wherein in response thereto, the system presents the portion of the audio within the plurality of segments starting from the beginning thereof (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 69, Christel discloses that a user selects a portion of audio not included within the plurality of segments, wherein in response thereto, the system presents the selected portion not included within the plurality of segments, and wherein after presenting the selected portion not included within the plurality of segments presents the selected plurality of segments in temporal order without portions of the audio not included within the plurality of segments, and wherein the user selects a portion of the audio included within the plurality of segments, wherein in response thereto, the system presents the portion of the audio within the plurality of segments (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 70, Christel discloses that the temporal information is hierarchical and is displayed in such a manner to retain a portion of its hierarchical structure (Figure 6).

Referring to claim 71, Christel discloses that temporal information relates to overlapping time periods and the temporal information is displayed in such a manner to maintain the differentiation of the overlapping time periods (Figure 5 and page 4, column 2, lines 26-31).

Referring to claim 77, Christel discloses a user selectable skip function skips a set of frames to a modified location of the video in at least one of a forward temporal direction or a reverse temporal direction, and displays the video at the modified location (Figure 6).

Referring to claim 78, Christel discloses a user selectable skip function skips to a later temporal segment or a previous temporal segment, and displays video at the later temporal segment or the previous temporal segment, respectively (Figure 6).

Referring to claim 79, Christel discloses that a user selectable scan function skips a set of frames to a modified location of the video in at least one of a forward temporal direction or a reverse temporal direction, and displays the video at the modified location, and thereafter automatically skips another set of frames to another modified location of the video in at least one of the forward temporal direction or the reverse temporal direction, and displays the video at another modified location (Figure 6).

Referring to claim 80, Christel discloses that at least one of the forward temporal direction and reverse temporal direction are consistent with the different segments (Figure 6).

Referring to claim 81, Christel discloses that the display of the video is at the start of the respective one of the different segments (Figure 6).

Referring to claim 82, Christel discloses that the display of the video is at a predetermined offset within the respective one of the different segments (Figure 6).

Referring to claim 83, Christel discloses that the graphical user interface displays a respective image associated with at least a plurality of the different segments (Figure 6).

Referring to claim 84, Christel discloses that the respective image associated with the currently presented different segments is visually highlighted (Figure 6).

Referring to claim 85, Christel discloses that during presentation of the video visually highlighted respective images are highlighted in a substantially regular interval while the sequence of the presentation of the video is at substantially irregular intervals (Figure 6).

Referring to claim 86, Christel discloses presentation of the different segments may be modified by a plurality of different functions, and wherein the user may customize another function, not previously explicitly provided, by combining a plurality of the plurality of different functions into a single function (page 5, column 1, lines 9-11 and Figure 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christel.

Referring to claims 1 and 2, Christel discloses a method of presenting information regarding a video with a plurality of frames (page 2, column 2, lines 11-19). Christel discloses identifying a plurality of segments of the video based upon an event (page 4, column 2, lines 28-

Art Unit: 2173

32). Christel discloses that each of the segments includes a plurality of frames of the video (page 4, column 2, lines 8-20). Christel discloses displaying a graphical user interface including temporal information regarding the relative location of the plurality of segments within the video (Figure 5). Christel does not explicitly disclose that the event being captured is characterized by a play, wherein this play is of a sport. It would have been obvious for one skilled in the art at the time of the invention that the event being captured is characterized by a play within a sport. Christel includes all types of video when discussing capturing of important events from a video, wherein based on the content of the video, any important events relevant to that specific video would be captured. Christel discloses that the goal of the invention is to display the essential content of a video, and wherein it is obvious that when the video is that of a sporting event, the essential content would be the plays and hence it would be obvious for Christel to capture these plays, wherein these plays are those that are part of a sporting event.

Referring to claim 3, Christel discloses a generally rectangular region where each of the plurality of segments is indicated within the generally rectangular region (Figure 5).

Referring to claim 4, Christel discloses that the size of each of the plurality of segments is indicated in a manner such that the plurality of segments with a greater number of frames are larger than the plurality of segments with a lesser number of frames (Figure 5).

Referring to claim 5, Christel discloses that the size of the regions between each of the plurality of segments is indicated in a manner such that the regions between with a greater number of frames are larger than plurality of segments with a lesser number of frames (Figure 5).

Referring to claim 6, Christel discloses an indicator that indicates the current position within the temporal information of a currently displayed portion of the video (Figure 5).

Referring to claim 7, Christel discloses the indicator changes location relative to the temporal information as the portion of the currently displayed portion of the video changes (Figure 5).

Referring to claim 8, Christel discloses displaying the temporal information for a first type of content of the video using a first visual indication (Figure 5) and displaying the temporal information for second type of content of the video using a second visual indication different from the first visual indication (Figure 6).

Referring to claim 9, Christel discloses indicating with an indicator the current position within the temporal information of a currently displayed portion of said video and modifying the position of the indicator within the temporal information, which modifies the displayed portion of the video (Figures 5 and 6).

Referring to claim 10, Christel discloses that the indicator is modified to a portion of the video that is not included within the plurality of segments (Figures 5 and 6).

Referring to claim 11, Christel discloses the first type of content and second type of content are selectable by a user for presentation to the user (Figure 5, page 5, column 1, lines 9-12 and Figure 6).

Referring to claim 12, Christel discloses that at least two of the plurality of segments are temporally overlapping (page 4, column 2, lines 26-29).

Referring to claim 13, Christel discloses that the temporally overlapping segments are visually indicated in a manner such that each of the overlapping segments are independently identifiable (page 4, column 2, lines 26-31).

Referring to claim 14, Christel discloses that a user selects a portion of the video not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments (Figure 6).

Referring to claim 15, Christel discloses that one of the plurality of segments is the segment most temporally adjacent to the portion of the video (Figure 6).

Referring to claim 16, Christel discloses that one of the plurality of segments is the next temporally related segment (Figure 6).

Referring to claim 17, Christel discloses that the plurality of segments is the previous temporally related segment (Figure 6).

Referring to claim 18, Christel discloses that a user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video from the start thereof (page 5, column 1, lines 5-11).

Referring to claim 19, Christel discloses that a user selects a portion of the video not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments, and wherein the user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video within the plurality of segments (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 20, Christel discloses that a user selects a portion of the video not included within the plurality of segments, wherein in response thereto, the system presents one of the plurality of segments, and wherein the user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video

within the plurality of segments starting from the beginning thereof (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 21, Christel discloses that a user selects a portion of video not included within the plurality of segments, wherein in response thereto, the system presents the selected portion not included within the plurality of segments, and wherein after presenting the selected portion not included within the plurality of segments presents the selected plurality of segments in temporal order without portions of the video not included within the plurality of segments, and wherein the user selects a portion of the video included within the plurality of segments, wherein in response thereto, the system presents the portion of the video within the plurality of segments (page 5, column 1, lines 5-11 and Figure 6).

Referring to claim 22, Christel discloses that the temporal information is hierarchical and is displayed in such a manner to retain a portion of its hierarchical structure (Figure 6).

Referring to claim 23, Christel discloses that temporal information relates to overlapping time periods and the temporal information is displayed in such a manner to maintain the differentiation of the overlapping time periods (Figure 5 and page 4, column 2, lines 26-31).

Referring to claim 24, Christel discloses that the temporal information is displayed within a time line, wherein the temporal information is presented in a plurality of layers in a direction perpendicular to the length of the time line (Figure 5).

Referring to claim 25, Christel discloses that the temporal information is displayed within a time line, wherein textual information is included within the time line (Figure 6).

Referring to claim 26, Christel discloses that additional textual information is displayed upon selecting a portion of the time line (Figure 6).

Art Unit: 2173

Referring to claim 27, Christel discloses that temporal information is displayed together with a time line, wherein additional textual information is displayed together with selecting a portion of the time line (Figure 6).

Referring to claim 28, Christel discloses that temporal information is displayed within a time line, wherein additional audio annotation is presented upon presenting a portion of the time line (page 4, column 1, lines 33-37 and Figure 6).

Conclusion

5. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for displaying video data.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

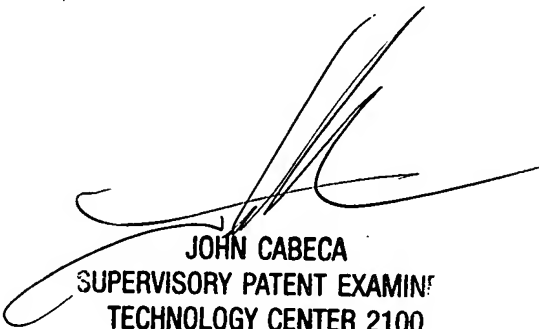
Art Unit: 2173

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
November 24, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100